

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60548 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

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1. RAJ BIHARI MANJHI @ BIHARI MANJHI son of Ramji Manjhi, Resident of Village- Methwaliya, P.S.- Chapra Muffasil, District- Saran at Chapra.
 2. Badari Manjhi Son of Ramji Manjhi Resident of Village- Methwaliya, P.S.- Chapra Muffasil, District- Saran at Chapra.
 3. Deo Kumar Manjhi Son of Late Kewal Manjhi Resident of Village- Methwaliya, P.S.- Chapra Muffasil, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-10-2019 Heard both sides.

Petitioners apprehend their arrest in Chapra Muffasil P.S. Case No.233 of 2018 registered under Sections 384, 386 and 34 of the Indian Penal Code.

The informant alleged that his grandfather purchased the land and after partition the land mentioned in the F.I.R. fell in the share of his father but the accused persons wanted to grab the land of the informant and put construction materials on the land of the informant.

Learned counsel for the petitioners submits that the co-accused Bharat Rai purchased the land through a sale deed but the informant and his family members want to grab the land. Bharat Rai objected and he filed Chapra Muffasil P.S. Case No.165 of 2016. One Title Suit No.441 of 2016 is pending



between the parties. The petitioners are labourers but they have been made accused in the present case only with an allegation that the petitioners wanted to grab the land, whereas there is a bona fide land dispute between Bharat Rai and the informant and his family members.

Having considered the facts that there is a land dispute and Bharat Rai (one of the accused) also claimed the land by virtue of sale deed but Bharat Rai and many others were made accused on a bald allegation that they wanted to grab the land whereas a title suit is pending between both sides, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Chapra Muffasil P.S. Case No.233 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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